

ORIGINAL

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 U.S. DISTRICT COURT
 CENTRAL DIST. OF CALIF.
 SANTA ANA

FILED

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

CASEY BLOTZER, INDIVIDUALLY)	Case No. SACV 14 - 00151 AG (ANx)
AND ON BEHALF OF ALL OTHERS)	
SIMILARLY SITUATED,)	<u>CLASS ACTION</u>
Plaintiff,)	
vs.)	<u>COMPLAINT FOR VIOLATIONS</u>
EXTERIOR SPECIALIST dba)	<u>OF:</u>
PACIFIC COAST HOME)	THE TELEPHONE CONSUMER
SOLUTIONS,)	PROTECTION ACT [47 U.S.C.
Defendant.)	§227 ET SEQ.]
	<u>DEMAND FOR JURY TRIAL</u>

Plaintiff, Casey Blotzer ("Plaintiff"), on behalf of herself and all others similarly situated, alleges the following upon information and belief based upon personal knowledge:

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NATURE OF THE CASE

1. Plaintiff brings this action for herself and others similarly situated seeking damages and any other available legal or equitable remedies resulting from the illegal actions of Exterior Specialist dba Pacific Coast Home Solutions (“Defendant”), in negligently, knowingly, and/or willfully placing sales, solicitations and/or other telemarketing calls to Plaintiff’s residential telephone despite Plaintiff being registered with the National Do Not Call Registry and in violation of the Telephone Consumer Protection Act, 47 U.S.C. § 227 *et seq.* (“TCPA”), thereby invading Plaintiff’s privacy.

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JURISDICTION & VENUE

2. This Court has federal question jurisdiction because this case arises out of violations of federal law. 47 U.S.C. §227(b); *Mims v. Arrow Fin. Servs., LLC*, 132 S. Ct. 740 (2012).

3. Venue is proper in the United States District Court for the Central District of California pursuant to 18 U.S.C.1391(b) and 18 U.S.C. §1441(a) because Defendant does business within the state of California and Plaintiff resides within this district.

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PARTIES

4. Plaintiff, CASEY BLOTZER (“Plaintiff”), is a natural person residing in California and is a “person” as defined by 47 U.S.C. § 153 (10).

5. Plaintiff is informed and believes, and thereon alleges, that the Defendant, Exterior Specialist, Inc. dba Pacific Coast Home Solutions, Inc. (“Defendant”), is a corporation whose State of Incorporation and principal place of business is in the State of California. The Defendant provides and installs energy efficiency products and is a “person” as defined by 47 U.S.C. § 153 (10).

6. The above named Defendants, and their subsidiaries and agents, are collectively referred to as “Defendants.”

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FACTUAL ALLEGATIONS

7. Beginning on or about July 29, 2013, Defendant contacted Plaintiff on her residential home telephone number ending in 7299, in an effort to solicit Plaintiff to purchase its products.

8. Specifically, Defendant placed telephone calls to Plaintiff's home telephone utilizing a pre-recorded message soliciting Plaintiff to contact Defendant to purchase energy efficient products which it claimed would reduce her energy bill.

9. Defendant's telephone calls are solicitations calls as Defendant intentionally placed calls to Plaintiff, and the putative class, seeking to encourage Plaintiff to purchase its products. The purpose of such calls is to secure individuals to purchase the company's products so that Defendant can receive compensation for its products and installation.

10. Further, Defendant's telephone calls constitute solicitation calls as Defendant seeks to secure Plaintiff's expenditure of resources, namely Plaintiff's time, energy and money, to further Defendant's business.

11. Since July of 2013, Defendant has placed no less than two (2) such telephone calls to Plaintiff's residential home telephone leaving messages as described above.

12. Plaintiff is not a customer of Defendant, has never provided any personal information, including her home telephone number, to Defendant for any purpose whatsoever, nor has Plaintiff purchased or used any goods or services offered by Defendant at any time prior to the filing of the instant Complaint.

13. Furthermore, Plaintiff has had her home telephone number ending in 7299 continuously registered with the National Do Not Call Registry since February 13, 2011.

14. All calls placed by Defendant to Plaintiff utilized an "automatic telephone dialing system", as defined by 47 U.S.C. § 227(a)(1).

1 15. All voice messages made by Defendant to Plaintiff utilized an
2 "artificial or prerecorded voice" as defined by 47 U.S.C. § 227(b)(1)(A).

3 16. Defendant's calls constituted calls that were not for emergency
4 purposes as defined by 47 U.S.C. § 227(b)(1)(A).

5 **CLASS ALLEGATIONS**

6 17. Plaintiff brings this action on behalf of herself and all others
7 similarly situated, as a member of the proposed class (hereafter "The Class")
8 defined as follows:

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10 All persons within the United States who, within the
11 four years prior to the filing of this Complaint, received
12 any sales or solicitation telephone calls from Defendant
13 to said person's telephone who had registered said
14 telephone with the National Do Not Call Registry and
15 who had not maintained a business relationship with
16 Defendant within eighteen (18) months of receiving
17 Defendant's calls

18 18. Plaintiff represents, and is a member of, The Class, consisting of All
19 persons within the United States who, within the four years prior to the filing of
20 this Complaint, received any sales or solicitation telephone calls from Defendant
21 to said person's telephone who had registered said telephone with the National
22 Do Not Call Registry and who had not maintained a business relationship with
23 Defendant within eighteen (18) months of receiving Defendants' calls

24 19. Defendant, its employees and agents are excluded from The Class.
25 Plaintiff does not know the number of members in The Class, but believes the
26 Class members number in the thousands, if not more. Thus, this matter should be
27 certified as a Class Action to assist in the expeditious litigation of the matter.

28 20. The Class is so numerous that the individual joinder of all of its
members is impractical. While the exact number and identities of The Class

1 members are unknown to Plaintiff at this time and can only be ascertained
2 through appropriate discovery, Plaintiff is informed and believes and thereon
3 alleges that The Class includes thousands of members. Plaintiff alleges that The
4 Class members may be ascertained by the records maintained by Defendant.

5 21. Plaintiff and members of The Class were harmed by the acts of
6 Defendant in at least the following ways: Defendant illegally contacted Plaintiff
7 and Class members via their personal telephones despite Plaintiff and The Class
8 invoking their rights afforded by the National Do Not Call Registry to be free of
9 unwanted telemarketing calls at their private residences, thus invading the privacy
10 of said Plaintiff and Class members.

11 22. Common questions of fact and law exist as to all members of The
12 Class which predominate over any questions affecting only individual members
13 of The Class. These common legal and factual questions, which do not vary
14 between Class members, and which may be determined without reference to the
15 individual circumstances of any Class members, include, but are not limited to,
16 the following:

- 17 a. Whether, within the four years prior to the filing of this
18 Complaint, Defendant made any sales or solicitation call
19 (other than a call made for emergency purposes or made with
20 the prior express consent of the called party) to a Class
21 member who had registered his or her telephone on the Do
22 Not Call Registry and who did not have a business
23 relationship with Defendant within eighteen (18) months prior
24 to receiving said calls;
- 25 b. Whether Plaintiff and the Class members were damages
26 thereby, and the extent of damages for such violation; and
- 27 c. Whether Defendant should be enjoined from engaging in such
28 conduct in the future.

1 23. As a person that received sales/solicitation calls from Defendant on a
2 telephone number registered with the Do Not Call Registry and who had no
3 previous business relationship with Defendant, Plaintiff is asserting claims that
4 are typical of The Class.

5 24. Plaintiff will fairly and adequately protect the interests of the
6 members of The Class. Plaintiff has retained attorneys experienced in the
7 prosecution of class actions under the Telephone Consumer Protection Act.

8 25. A class action is superior to other available methods of fair and
9 efficient
10 adjudication of this controversy, since individual litigation of the claims of all
11 Class members is impracticable. Even if every Class member could afford
12 individual litigation, the court system could not. It would be unduly burdensome
13 to the courts in which individual litigation of numerous issues would proceed.
14 Individualized litigation would also present the potential for varying, inconsistent,
15 or contradictory judgments and would magnify the delay and expense to all
16 parties and to the court system resulting from multiple trials of the same complex
17 factual issues. By contrast, the conduct of this action as a class action presents
18 fewer management difficulties, conserves the resources of the parties and of the
19 court system, and protects the rights of each Class member.

20 26. The prosecution of separate actions by individual Class members
21 would create a risk of adjudications with respect to them that would, as a practical
22 matter, be dispositive of the interests of the other Class members not parties to
23 such adjudications or that would substantially impair or impede the ability of such
24 non-party Class members to protect their interests.

25 27. Defendant has acted or refused to act in respects generally applicable
26 to The Class, thereby making appropriate final and injunctive relief with regard to
27 the members of the Class as a whole.

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FIRST CAUSE OF ACTION

**Violations of the Telephone Consumer Protection Act
47 U.S.C. §227 et seq.**

28. Plaintiff repeats and incorporates by reference into this cause of action the allegations set forth above at Paragraphs 1-28.

29. The foregoing acts and omissions of Defendant constitute numerous and multiple violations of the TCPA, including but not limited to each and every one of the above cited provisions of 47 U.S.C. § 227 et seq.

30. As a result of Defendant's violations of 47 U.S.C. § 227 et seq., Plaintiff and the Class Members are entitled an award of \$500.00 in statutory damages, for each and every violation, pursuant to 47 U.S.C. § 227(c)(5)(B).

31. Plaintiff and the Class members are also entitled to and seek injunctive relief prohibiting such conduct in the future.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff requests judgment against Defendants for the following:

FIRST CAUSE OF ACTION

**Violations of the Telephone Consumer Protection Act
47 U.S.C. §227 et seq.**

- As a result of Defendants' violations of 47 U.S.C. §227, et seq., Plaintiff and the Class members are entitled to and request \$500.00 in statutory damages, for each and every violation, pursuant to 47 U.S.C. 227(c)(5)(B); and
- Plaintiff and the Class members are also entitled to and seek injunctive relief prohibiting such conduct in the future.
- Any and all other relief that the Court deems just and proper.

TRIAL BY JURY

Pursuant to the seventh amendment to the Constitution of the United States of America, Plaintiff is entitled to, and demands, a trial by jury.

Respectfully Submitted this January 3, 2014.

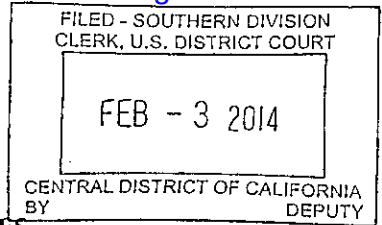
LAW OFFICES OF TODD M. FRIEDMAN, P.C.

By: 

Todd M. Friedman

Law Offices of Todd M. Friedman

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA



NOTICE OF ASSIGNMENT TO UNITED STATES JUDGES

This case has been assigned to District Judge Andrew J. Guilford and the assigned Magistrate Judge is Arthur Nakazato.

The case number on all documents filed with the Court should read as follows:

SACV 14-00151-AG-(ANx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge.

Clerk, U. S. District Court

February 3, 2014

Date

By D. Vo

Deputy Clerk

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

☐ Western Division
312 N. Spring Street, G-8
Los Angeles, CA 90012

☒ Southern Division
411 West Fourth St., Ste 1053
Santa Ana, CA 92701

☐ Eastern Division
3470 Twelfth Street, Room 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

CIVIL COVER SHEET

I. (a) PLAINTIFFS (Check box if you are representing yourself ☐)

CASEY BLOTZER, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED

DEFENDANTS (Check box if you are representing yourself ☐)

EXTERIOR SPECIALIST dba PACIFIC COAST HOME SOLUTIONS

(b) County of Residence of First Listed Plaintiff Orange

(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

(c) Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information.

Law Offices of Todd M. Friedman, P.C.
369 S. Doheny Dr., #415, Beverly Hills, CA 90211
Phone: (877) 206-4741

Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information.

II. BASIS OF JURISDICTION (Place an X in one box only.)

☐ 1. U.S. Government Plaintiff☒ 3. Federal Question (U.S. Government Not a Party)☐ 2. U.S. Government Defendant☐ 4. Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES-For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant)

Citizen of This State	PTF <input type="checkbox"/> 1	DEF <input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	PTF <input type="checkbox"/> 4	DEF <input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. ORIGIN (Place an X in one box only.)

☒ 1. Original Proceeding
 ☐ 2. Removed from State Court
 ☐ 3. Remanded from Appellate Court
 ☐ 4. Reinstated or Reopened
 ☐ 5. Transferred from Another District (Specify)
 ☐ 6. Multi-District Litigation
V. REQUESTED IN COMPLAINT: JURY DEMAND: ☒ Yes ☐ No (Check "Yes" only if demanded in complaint.)CLASS ACTION under F.R.Cv.P. 23: ☒ Yes ☐ No ☐ MONEY DEMANDED IN COMPLAINT: \$ 5,000,000.00

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

47 U.S.C. 227, et seq., Telephone Consumer Protection Act

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES	CONTRACT	REAL PROPERTY CONT.	IMMIGRATION	PRISONER PETITIONS	PROPERTY RIGHTS
<input type="checkbox"/> 375 False Claims Act	<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 462 Naturalization Application	Habeas Corpus:	<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 830 Patent
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 290 All Other Real Property	TORTS	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 140 Negotiable Instrument	PERSONAL INJURY	PERSONAL PROPERTY	<input type="checkbox"/> 530 General	SOCIAL SECURITY
<input type="checkbox"/> 450 Commerce/ICC Rates/Etc.	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 371 Truth in Lending	Other:	<input type="checkbox"/> 862 Black Lung (923)
<input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org.	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.)	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 863 DIWC/DIWW (405 (g))
<input type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 153 Recovery of Overpayment of Vet. Benefits	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 340 Marine	BANKRUPTCY	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 865 RSI (405 (g))
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 560 Civil Detainee Conditions of Confinement	FEDERAL TAX SUITS
<input checked="" type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 423 Withdrawal 28 USC 157	FORFEITURE/PENALTY	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 891 Agricultural Acts	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 355 Motor Vehicle Product Liability	CIVIL RIGHTS	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
<input type="checkbox"/> 893 Environmental Matters	REAL PROPERTY	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 690 Other	
<input type="checkbox"/> 895 Freedom of Info. Act	<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 441 Voting	LABOR	
<input type="checkbox"/> 896 Arbitration	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 710 Fair Labor Standards Act	
<input type="checkbox"/> 899 Admin. Procedures Act/Review of Appeal of Agency Decision	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 720 Labor/Mgmt. Relations	
<input type="checkbox"/> 950 Constitutionality of State Statutes		<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 445 American with Disabilities-Employment	<input type="checkbox"/> 740 Railway Labor Act	
		<input type="checkbox"/> 369 Personal Injury Product Liability	<input type="checkbox"/> 446 American with Disabilities-Other	<input type="checkbox"/> 751 Family and Medical Leave Act	
			<input type="checkbox"/> 448 Education	<input type="checkbox"/> 790 Other Labor Litigation	
				<input type="checkbox"/> 791 Employee Ret. Inc. Security Act	

FOR OFFICE USE ONLY:

Case Number: SACV 14 - 00151 AG (ANx)

CV-71 (11/13)

CIVIL COVER SHEET

Page 1 of 3

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

VIII. VENUE: Your answers to the questions below will determine the division of the Court to which this case will most likely be initially assigned. This initial assignment is subject to change, in accordance with the Court's General Orders, upon review by the Court of your Complaint or Notice of Removal.

Question A: Was this case removed from state court? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "no," go to Question B. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	STATE CASE WAS PENDING IN THE COUNTY OF:		INITIAL DIVISION IN CACD IS:
	<input type="checkbox"/> Los Angeles		Western
	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo		Western
	<input type="checkbox"/> Orange		Southern
	<input type="checkbox"/> Riverside or San Bernardino		Eastern

Question B: Is the United States, or one of its agencies or employees, a party to this action? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "no," go to Question C. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	If the United States, or one of its agencies or employees, is a party, is it:		INITIAL DIVISION IN CACD IS:
	A PLAINTIFF?	A DEFENDANT?	
	Then check the box below for the county in which the majority of DEFENDANTS reside.		Then check the box below for the county in which the majority of PLAINTIFFS reside.
	<input type="checkbox"/> Los Angeles	<input type="checkbox"/> Los Angeles	Western
	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	Western
	<input type="checkbox"/> Orange	<input type="checkbox"/> Orange	Southern
	<input type="checkbox"/> Riverside or San Bernardino	<input type="checkbox"/> Riverside or San Bernardino	Eastern
<input type="checkbox"/> Other	<input type="checkbox"/> Other	Western	

Question C: Location of plaintiffs, defendants, and claims? (Make only one selection per row)	A. Los Angeles County	B. Ventura, Santa Barbara, or San Luis Obispo Counties	C. Orange County	D. Riverside or San Bernardino Counties	E. Outside the Central District of California	F. Other
Indicate the location in which a majority of plaintiffs reside:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indicate the location in which a majority of defendants reside:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indicate the location in which a majority of claims arose:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

C.1. Is either of the following true? If so, check the one that applies:

- ☐ 2 or more answers in Column C
☐ only 1 answer in Column C and no answers in Column D

Your case will initially be assigned to the SOUTHERN DIVISION.
 Enter "Southern" in response to Question D, below.
 If none applies, answer question C2 to the right. →

C.2. Is either of the following true? If so, check the one that applies:

- ☐ 2 or more answers in Column D
☐ only 1 answer in Column D and no answers in Column C

Your case will initially be assigned to the EASTERN DIVISION.
 Enter "Eastern" in response to Question D, below.
 If none applies, go to the box below. ↓

Your case will initially be assigned to the WESTERN DIVISION.
 Enter "Western" in response to Question D below.

Question D: Initial Division?	INITIAL DIVISION IN CACD
Enter the initial division determined by Question A, B, or C above: →	SOUTHERN

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEETIX(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ NO ☐ YES

If yes, list case number(s): _____

IX(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ NO ☐ YES

If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

(Check all boxes that apply)

- ☐ A. Arise from the same or closely related transactions, happenings, or events; or
- ☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
- ☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
- ☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

X. SIGNATURE OF ATTORNEY

(OR SELF-REPRESENTED LITIGANT): _____

DATE: January 3, 2014

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate Instructions sheet).

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935ff(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405 (g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))